



**JOINT MEETING OF
FINANCE & ADMINISTRATION
AND
DEVELOPMENT AND PLANNING
COUNCIL SUB-COMMITTEES**

**MEETING MINUTES
Thursday, August 27, 2015 - 7:00 AM
West Des Moines City Hall – 4200 Mills Civic Parkway
Training Room, 2nd Floor**

Present: Councilmember Russ Trimble, Councilmember Jim Sandager, Councilmember John Mickelson, City Manager Tom Hadden, City Attorney Dick Scieszinski, Finance Director Tim Stiles, Development Services Director Lynne Twedt, Community & Economic Director Clyde Evans, City Engineer Duane Wittstock, Principal Engineer Brian Hemesath, Sewer Engineer Jason Schlickbernd, Planner Linda Schemmel, Planner Kara Tragesser, Fire Marshal Mike Whitsell, City Communications Specialist Lucinda Stephenson, Budget Analyst Chris Hamlett, and Administrative Secretary Maureen Richmond

Guests: Item #1 - 1st St Redevelopment-Mandelbaum Development (both subcommittees)
 John Mandelbaum
 Justin Mandelbaum
 Jamie Malloy

Item #4 – Event Centers: Definitions, Allowed Districts, & Performance Standards
 Brad Brody, Representing The Picker Knows

Item #5 – Grass Patios & Patios in Front Yards (commercial sites)
 Brian Fox, Fox Brewery
 Jeff Fox, Fox Brewery

Meeting was called to order at 7:00 AM

1. 1st St Redevelopment – Mandelbaum Development (both Subcommittees)

Linda Schemmel presented information related to a redevelopment project of John Mandelbaum's at the southwest corner of 1st Street and Grand Avenue. She noted that Mr. Mandelbaum has requested several financial incentives and a zoning code waiver as part of the pending Master Plan for the redevelopment.

Ms. Schemmel noted that the development falls in the area of the Grand Avenue Redevelopment Plan (Val-Gate District) which was approved by the City Council in February of 2012. This plan modifies development standards and guidelines incorporating streetscape along the major roadways.

Ms. Schemmel noted that Mr. Mandelbaum requested the following incentives:

- **Stormwater Infrastructure** – A segment of pipe for the storm water district improvements is planned along west and south border of Mr. Mandelbaum's development. He's asking for compensation for the portion of land that he will not be able to use because of the storm pipe. Compensation for easement rights is an allowed expense for the storm water fee district.
- **Relocation of Crystal's** - Crystal's is a business currently located in the development. Mr. Mandelbaum is concerned that Crystal's may be considered an adult entertainment business and would not be allowed relocation into another building on his development site. Mr. Mandelbaum is requesting "grandfathered" status for the business to allow relocation into another building on site. There has been no determination that the business would be considered an adult entertainment business. If it is determined that Crystal's is a retail business and not an adult entertainment business it would be considered a permitted use and there would be no issue with relocating to a different building. If determined to be an adult entertainment business, the use would not be allowed due to inability to meet separation requirements from residential.

Staff was not able to find any documentation that Crystal's was approved as an adult entertainment business for their current location, which precludes a grandfathered status as it was not a permitted use when the business moved to their current location. Mr. Scieszinski will research options concerning Crystal's and present recommendation when available.

- **Traffic Signal Cost** – Mr. Mandelbaum is requesting that the City guarantee his obligation for the traffic signal to be located on 1st Street at the south end of his development be no more than \$150,000 (cost for the signal would range from \$250,000 to \$300,000). He explained that typically a property owner would only be liable for ¼ of the cost of a signal, but because this development has no developable property on the east side of the intersection, and the other corner is residential, there is no other private party to assist in the cost.
- **Reconstruction of the North Parking Lot** – At this time Mr. Mandelbaum is proposing no changes to two buildings in the development (True Value and Blue Tomato); however, they are included in the redevelopment Master Plan area. Staff suggested setting a time period from the approval of the PUD for the developer to install the streetscape along the frontage of these two properties. Mr. Mandelbaum is requesting that the streetscape instead be triggered with the installation of a future right turn lane along the south side of Grand Avenue. Mr. Mandelbaum requests the City pay for the installation of turn lane and compensate the developer for all cost to reconstruct the north parking lot, sidewalk and relocating the monument (pole) sign needed to accommodate changes for the wider street cross section. Staff noted that other redevelopment projects within the district made the necessary right-of-way dedication and site changes at no cost to the City.

Mr. Trimble asked about the time frame for the streetscape. Ms. Schemmel responded that staff suggests a 2-year time limit.

Mr. Stiles noted that the widening of Grand Avenue, including installation of a right turn lane, was not included in the City's 5-year CIP.

Ms. Schemmel recommends staff not include a determination on if Crystal's may be relocated in the Master Plan, but instead inform Mr. Mandelbaum when a determination has been made regarding its compliance with the City Ordinance and move forward with any action required outside of the Master Plan process. She suggested proceeding with the consideration of the financial incentives for the redevelopment separately and just include time frames or triggers for required improvements within the Master Plan to allow that to move forward.

Discussion regarding the storm sewer project and the locations of the Vet Clinic and Sully's buildings as it relates to the project. The following options were indicated:

- The City can purchase and remove the buildings as part of the sewer project allowing more room for the sewer.
- Leave the buildings and route the sewer adjacent to the businesses. It was pointed out that the businesses would essentially be out of business during the construction of the sewer.
- City can wait until Grand Avenue is widened and acquire the Vet Clinic as part of the widening project.

Discussion ensued regarding the City potentially participating in the cost of the traffic signal; however, Mr. Trimble requested a dollar value on all the incentives being requested before the City continues with the project or commits to anything. Mr. Trimble requested that staff move forward with establishing a "redevelopment policy" to assist with defining incentives and practices for other similar areas and projects.

Councilmembers indicated support of exploring the acquisition of the buildings as part of the sewer project, but wanted additional information regarding price associated with the incentive requests. Council was supportive of working out the details and timeline for the Master Plan.

2. Incubator Costs – (Finance & Administration Subcommittee)

Mr. Hadden brought forward an update related to the "old" Human Service Offices at 318 5th Street. He noted that the WDM Business Incubator will be leasing and moving into the building. Mr. Hadden is recommending to repair the hose tower and chimney at a cost of \$54,000 – he said this is critical to maintain the value of the building. The repair cost was budgeted for \$25,000.

Mr. Schemmel noted the State Historic Preservation Office recommends repairing these elements on the building to keep the building historically accurate. Following preservation guidelines with construction projects on historic buildings will be an important consideration should the City pursue federal funding in the future. Mr. Hadden noted that construction will go out to bid September 21. Depending on the bids, the budget will be discussed with Finance staff at a future meeting.

Councilmembers supported proceeding with the hose tower and chimney repair.

3. Banking Services Request for Proposal (RFP) (Finance & Administration Subcommittee)

Mr. Stiles presented a high level overview of a proposed Banking Services RFP, including goals, proposed scope of services, timing, and evaluation criteria. He mentioned that the RFP documents are being finalized and would be issued around September 1st.

Councilmembers supported proceeding with the proposed Banking Services RFP and also recommended that due to his banking experience, Councilman Messerschmidt be asked to provide input into the items discussed in the overview as appropriate.

4. Event Centers: Definitions, Allowed Districts, & Performance Standards (Development & Planning Subcommittee)

Ms. Tragesser presented an issue involving allowing event centers in commercial districts and performance standards as a global aspect.

Mr. Brad Brody, representing The Picker Knows (previously the Dahl's on Grand) indicated he would like to utilize the extra space in his building to have events as a way to make other income. The building has 6,000 square feet to utilize with part of the space to be used as an auction house. Mr. Brody has been approached from the public to see if he could rent it out for events and is requesting City approval to allow renting for events.

Staff indicating that they are currently considering defining Event Centers as follows:

- Event Venue – Small: a facility hosting functions (e.g. weddings, banquets). No outside activity, limited to 4,000 sf building. May be a secondary use
- Event Venue – Large: a principal facility for hosting large functions (e.g. receptions, concert halls, stadiums, conference/convention functions). Generally occupying space of 5,000 sf or more. Outside activity allowed.
- Small Event Venues as Secondary Uses: Cannot occupy more than 50 percent of gross square footage.

(Secondary Use: a use that is subordinate to principal use and not serving a purpose customarily incidental to the principal use.)

Staff is evaluating the commercial restrictions necessary, including capacity and minimum parking requirements in order to mitigate potential impacts on the surrounding neighborhoods and businesses. Staff noted that the evaluation needs to be done from a global perspective of the impact of event centers across the city and not just whether or not the use is appropriate for Mr. Brody's site. Staff, including Fire Marshall Mike Whitsell, will meet to determine the requirements to include the sprinkler systems, parking spaces, and occupancy allowances. It was noted that depending upon whether the event was a stand-up or sit-down with table and chairs, the occupancy can quickly reach several hundred people in a relatively small event space. Parking and traffic can be problematic in smaller commercial districts.

Councilmembers recommended proceeding with the event center based on occupancy.

This item will be brought back to the Development and Planning Subcommittee for further discussion.

5. Grass Patios & Patios in Front Yards – Commercial Sites (Development & Planning Subcommittee)

Ms. Tragesser brought forward a request from Fox Brewery to have a front yard patio. Current code allows no structures or buildings between the public right-of-way and the front setback line; however, it does not address patios. The City generally allows patios to encroach into rear yard setbacks and side yard setbacks. The Town Center Overlay District encourages patios in front yards to create a pedestrian connection. Fox Brewery is requesting to have a grass patio between the building and street along S 11th Street. The area is planned to be small and hold approximately three picnic tables. City Code gives no definition of a patio or indication of materials/pavement requirements, the patio would likely require a barrier which aids law enforcement in defining outside service areas. An exit door for fire purposes may be required in the patio barrier.

Councilmembers recommended proceeding with allowing a front yard grass patio since the brewery is located in an industrial area.

6. Upcoming Projects (Development & Planning Subcommittee)

Ms. Twedt will bring the following requests to Board of Adjustments for approval:

- a. **605 18th Street Variance (22' of 35' rear yard)** Ms. Twedt noted that this item has been withdrawn after it was realized that the applicant's consultant incorrectly drew a public sewer easement resulting in no room for the addition of a storage building. Staff requested approval to refund the variance application fee since the issue was really no fault of the applicant. Council agreed with refunding the application fee.
- b. **428 4th Street Variance (3.5' if 7' side yard)** Ms. Twedt noted that the homeowner at this location would like to remove an existing deck in order to expand the house. The proposed addition is in alignment with the main plane of the current house which does not meet the minimum 7' setback.
- c. **S&F Karp PUD Amendment** Ms. Twedt indicated that a PUD Amendment was being brought forward to allow a modern office building on the triangular piece of ground across from the library and next to Chapel Ridge Apartments. The PUD currently requires that the building be residential in character and design.

Councilmembers acknowledged the upcoming projects.

7. Minor Modifications (Development & Planning Subcommittee)

- a. Cook Plumbing Fuel Tanks (Level 1)
- b. Trader Joe's Dock Modification (Level 1)
- c. 5034 Grand Ridge Façade Modifications (Level 1)
- d. West Bank 2nd Street Generator (Level 1)
- e. 1st National Bank 5th Street ATM (Level 1)

8. Other Matters

a. **Parks Maintenance Facility: Roof Replacement (Finance & Administration Subcommittee)**

Mr. Schemmel indicated the Parks Maintenance facility at 1421 Maple requires a roof replacement. After investigating it was found that there is significant water damage to the structure. Mr. Schemmel is questioning whether or not to invest in this facility or have it transitioned out. Ms. Schemmel will evaluate the cost breakdown and present it at a future Finance meeting to include:

- If we repair the facility, what will the cost be to gain an additional 5 years from the building and what would be required to extend it's life up to a 20 years.
- If we do not repair, a demolition cost

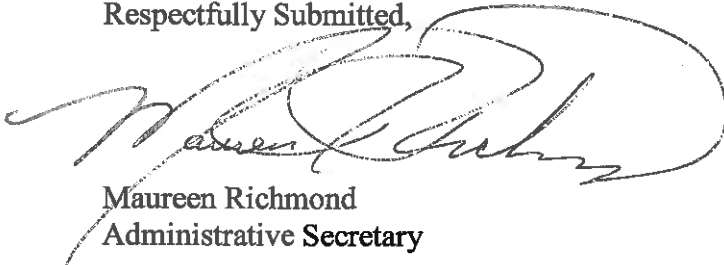
Councilmembers acknowledged the information and will review the cost at a future Finance meeting.

b. **Sign Regulations: Valley Junction & Recent Court Ruling Impact (both Subcommittees)**

Mr. Scieszinski noted because of a recent court ruling, changes to the City's Sign Ordinance will be necessary. He also noted that Valley Junction will be installing an off premise kiosk sign(s) which are not legal according to City Code. Mr. Scieszinski noted that these items were being brought forward as only a notification. Mr. Scieszinski indicated that his staff will work to write appropriate sign regulations consistent with the recent court rulings and will bring back to a future meeting Development and Planning Subcommittee for review.

Meeting was adjourned at 8:47 AM.

Respectfully Submitted,



Maureen Richmond
Administrative Secretary